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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,657	07/09/2003	Joshua R. Bressler	40117/00101	9317

7590 07/12/2005
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EXAMINER

BUI, BING Q

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/615,657

Applicant(s)

BRESSLER, JOSHUA R.

Examiner

Bing Q. Bui

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/09/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-30 are pending in the application for examination, wherein claims 1, 11 and 23 being independent.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Brennan et al (US Pat. No. 5,329,578), herein after referred as Brennan.

Regarding claim 1, referring to Figs 1a and 2a-2d, Brennan teaches a software package (e.g., subscriber service profile) comprising:

a source identifying module for determining source data corresponding to a source of incoming telephone calls (see Figs 1a and 2a-2d; and col. 4, ln 67-col. 5, ln 59);

a call handling module including instructions for each of a plurality of call handling modes (see Figs 1a and 2a-2d; and col. 5, ln 60-col. 8, ln 17);

a handling mode selection module determining which call handling mode controls handling of an incoming call based on the source data and a time of receipt of the incoming call (see Figs 1a and 2a-2d; and col. 6, ln 47-col. 8, ln 17).

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Regarding claims 2-10, 12-22 and 24-30, note Figs 1a and 2a-2d; and col. 4, In 67-col. 8, In 17.

Regarding claim 11, referring to Figs 1a and 2a-2d, Brennan teaches a method of controlling operation of a telephone comprising the steps of:

extracting from an incoming call source data corresponding to a source of the call (see Figs 1a and 2a-2d; and col. 4, In 67-col. 5, In 59);

specifying a set of call handling instructions for each of a plurality of call handling modes (see Figs 1a and 2a-2d; and col. 5, In 60-col. 8, In 17);

electing one of the call handling modes for each incoming call received based on the source data and a time of receipt of the incoming call (see Figs 1a and 2a-2d; and col. 6, In 47-col. 8, In 17).

Regarding claim 23, referring to Figs 1a and 2a-2d, Brennan teaches a telephone system comprising:

a source notification device, providing an indication to a call recipient of a source of each of a plurality of incoming calls;

a memory including operating code for controlling operation of the system, the operating code including a plurality of call handling modes which may be applied to incoming calls, and storing call recipient input indicating a corresponding one of the plurality of call handling modes to be applied to an incoming call based on the source data and a time of receipt of the incoming call.

As to claim 23, it is rejected for the same reasons set forth to rejecting claim 11 above, since claim 23 is merely a system for implementing the method defined in the method claim 23.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art in general:

U.S. Pat. No. 5,467,388

U.S. Pat. No. 5,793,859

U.S. Pat. No. 5,802,160

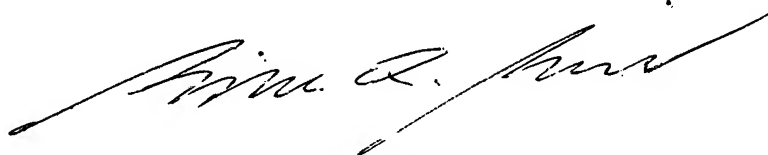
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (571) 272-7482. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 and for formal communications intended for entry (please label the response ☐EXPEDITED PROCEDURE☐) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

09 July 2005

A handwritten signature in black ink, appearing to read 'Bing Q. Bui', with a long, sweeping horizontal stroke extending to the right.

BING Q. BUI
PRIMARY EXAMINER